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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

ABELARDO MARTINEZ,
Defendant.

CASE NO: 2:17-cr-169-KJD-VCF-4

**STIPULATION TO CONTINUE
HEARING ON SUPERVISED RELEASE
VIOLATION PETITION**

(First Request)

IT IS HEREBY STIPULATED AND AGREED by ABELARDO MARTINEZ, by and through his attorney, CHRISTOPHER R. ORAM, ESQ., and the United States of America, by and through MINA CHANG, ESQ., Assistant United States Attorney, that the hearing on the Supervised Release Violation Petition currently scheduled for September 13, 2021, be continued to the week of September 20, 2021, to a date and time convenient to this Honorable Court.

The request for a continuance is based upon the following:

1. Counsel for Defendant Martinez is scheduled to resume a murder trial in state court in *State of Nevada v. Omar Rueda-Denvers*, Case No. 07C235875-1, on September 13, 2021. The trial had previously been postponed due to COVID-19 exposure. Counsel's trial will conclude by September 17, 2021.
2. Counsel for Defendant Martinez is scheduled to begin a capital murder trial in state court in *State of Nevada v. Contrayer Zone*, C-16-316686-2, on September 27, 2021.

1 3. Counsel for Defendant Martinez requests this brief one-week continuance to
2 allow him to appear in the instant case during the week between the two
3 trials.

4 4. Defendant Abelardo Martinez is not in custody, and he does not oppose the
5 requested continuance.

6 5. The Government has no objection to the continuance.

7 6. The additional time requested herein is not sought for purposes of delay.

8 7. Additionally, denial of this request for continuance could result in a
9 miscarriage of justice.

10 DATED: September 8, 2021

11 Respectfully submitted,

12 /s/ Christopher R. Oram
13 Christopher R. Oram, Esq.
14 520 S. Fourth Street, Second Floor
15 Las Vegas, Nevada 89101
16 Attorney for Abelardo Martinez

17 /s/ Mina Chang
18 Mina Chang, Esq.
19 Assistant United States Attorney
20 501 Las Vegas Blvd. South, Suite 1100
21 Las Vegas, Nevada 89101
22 Attorney for the United States of America

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UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,
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ORDER

(First Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Counsel for Defendant Martinez is scheduled to resume a murder trial in state court in *State of Nevada v. Omar Rueda-Denvers*, Case No. 07C235875-1, on September 13, 2021. The trial had previously been postponed due to COVID-19 exposure. Counsel's trial will conclude by September 17, 2021.
2. Counsel for Defendant Martinez is scheduled to begin a capital murder trial in state court in *State of Nevada v. Contrayer Zone*, C-16-316686-2, on September 27, 2021.
3. Counsel for Defendant Martinez requests this brief one-week continuance to allow him to appear in the instant case during the week between the two trials.
4. Defendant Abelardo Martinez is not in custody, and he does not oppose the requested continuance.

- 1 5. The Government has no objection to the continuance.
- 2
- 3 6. The additional time requested herein is not sought for purposes of delay.
- 4
- 5 7. Additionally, denial of this request for continuance could result in a
- 6 miscarriage of justice.

7 **CONCLUSION OF LAW**

8 The ends of justice served by granting said continuance outweigh the best interests of
9 the public and the defense, since the failure to grant said continuance would be likely to result
10 in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within
11 which to be able to prepare for the hearing effectively and thoroughly, taking into account the
12 exercise of due diligence.

13

14 **ORDER**

15 IT IS THEREFORE ORDERED that the hearing on the Supervised Release Violation
16 Petition currently scheduled for September 13, 2021, at the hour of 2:30 p.m. be vacated and
17 continued to the 21st day of September, 2021, at the hour of 2:30 p.m., in Courtroom 3D
18 before Judge Ferenbach.

19

20 DATED AND DONE this 9th day of September, 2021.

21 
22 UNITED STATES MAGISTRATE JUDGE
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